

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HECTOR FIGUEROA,
:
:
Plaintiff(s) : NO. 23-cv-0515
:
vs :
:
DELAWARE COUNTY, :
:
Defendant(s) :

Friday, November 3, 2023
Via Zoom Videoconferencing

Oral deposition of LAUREN FOOTMAN,
on the above date, beginning approximately 9:30
a.m., before Louis A. Manchello, Certified Court
Reporter (New Jersey Lic. No. 30XI00141800) and
Notary Public of Pennsylvania, held with all parties
attending via Zoom Video Conferencing.

Lauren Footman

Page 5

1 Q. Okay. So when did you start your
2 employment with Delaware County?

3 A. April of last year.

4 Q. And how did you get that position?

5 A. I interviewed with Athreon. They were a
6 search firm. And we did about six or seven rounds
7 of interviews, and then I was selected.

8 Q. And what position were you hired for?

9 A. Diversity, Equity and Inclusion Officer.

10 Q. Is that still the position you are in
11 in the County?

12 A. Yes.

13 Q. Did you know anyone in the County
14 prior to getting that position? Anyone on the
15 Council or in County leadership?

16 A. What do you mean "know"?

17 Q. Had you had any kind of friendship or
18 relationship with someone -- let me ask more
19 specifically.

20 Did you know Dr. Monica Taylor
21 before getting that position?

22 A. Yes.

23 Q. How did you know her?

24 A. Through a leadership fellowship.

Lauren Footman

Page 8

1 Q. In that position, did you have any
2 interaction with Dr. Taylor?

3 A. Yes. Only to participate in a public health
4 transition team meeting, because they were focusing
5 on a gun violence strategy as they were looking to
6 set up the Health Department, but that was an
7 invitation send broadly to stakeholders.

8 Q. And prior to getting your position
9 with Delaware County, had you met Lisa Jackson?

10 A. No.

11 Q. What are your job responsibilities as
12 director of Diversity, Equity and Inclusion?

13 A. It is to collaborate with the Executive
14 Director's Office, Council, and other departments to
15 see how we can get create a diverse, equitable and
16 inclusive workforce and also services that we
17 provide to the community.

18 Q. And who do you report to?

19 A. Bill Martin.

20 Q. Have you reported to Bill Martin the
21 entire time that you have worked for the County?

22 A. No.

23 Q. Who was the previous person you
24 reported to?

Lauren Footman

Page 10

1 Mr. Woolley and start reporting to Solicitor Martin?

2 A. End of August, beginning of September of
3 this year.

4 Q. So of 2023?

5 A. Yes.

6 Q. What led to that change?

7 MR. SCHLEIGH: Which change?

8 MR. COHEN: Fair.

9 BY MR. COHEN:

10 Q. The change from reporting to
11 Mr. Woolley to Solicitor Martin.

12 A. I filed a grievance against Mr. Woolley, and
13 the determination of Council was for me to report to
14 Bill.

15 Q. But your position stayed the same; is
16 that right?

17 A. Yes.

18 Q. In your position, do you have an
19 opportunity to conduct investigations of
20 discrimination?

21 A. I do not conduct them myself. I typically
22 am brought in by Human Resources.

23 Q. And I guess it's been about a year and
24 a half that you've had the position; is that right?

Lauren Footman

Page 11

1 A. Yes.

2 Q. Over that year and a half, how many
3 complaints of discrimination have you participated
4 in?

5 A. That's not something that I could recall
6 right off the top of my head. But I have
7 participated in some. But I don't have the exact
8 figure.

9 Q. Can you give an estimate?

10 A. I don't feel comfortable doing that.

11 Q. Do you feel comfortable saying whether
12 it's more five?

13 A. That I personally been involved in?

14 Q. Correct.

15 A. You have to give me a minute.

16 I think it kind of depends on --
17 are you saying investigations that I was brought
18 into by HR specifically to assist on or things that
19 people have said to me in passing?

20 Q. The former. So, yes.

21 A. Yes, it's been more than five.

22 Q. Can you say if it's been more than 10?

23 A. No, I don't feel comfortable doing that.

24 No, I can't. Sorry.

Lauren Footman

Page 12

1 Q. Okay. That's okay. No problem.

2 So I understand that

3 Jamal Johnson no longer works for the County. But
4 when he did, did you ask him to participate in
5 discrimination investigations?

6 A. Yes.

7 Q. And at that time, when you asked him
8 to do that -- well, let me ask you.

9 Prior to your employment with
10 the County, had you ever participated in
11 investigations of discrimination?

12 A. Yes.

13 Q. And can you give an estimate of how
14 many of those you had participated in prior to your
15 employment with the County?

16 A. That's something I'm not able to quantify at
17 this time.

18 Q. At all?

19 A. No. Sorry.

20 Q. That's okay. So did you participate
21 in investigations of discrimination with
22 Mr. Johnson?

23 A. Yes.

24 Q. And do you know which ones?

Lauren Footman

Page 18

1 A. My understanding, that that was the
2 recommendation of Jamal.

3 Q. And was Francine Locke the head of
4 Sustainability at that time?

5 A. Yes.

6 Q. What was your role in the meeting?

7 A. We were having a meeting because we were
8 discussing a blowup that had happened in Purchasing
9 between Franklin and Lisa and understanding what had
10 been done. Because at the time, my understanding
11 was that Lisa had filed complaints, and then
12 Franklin had filed complaints. And figuring out
13 what the road forward was. Because at this point --
14 because of the blowup, it was on display for people
15 in the office, and thinking about how do you kind of
16 address the acute situation and address the larger
17 challenges that people would then be working in.
18 Because how their office is set up, it happened in
19 front of other people.

20 Q. Right. So Ms. Jackson had made
21 complaints against Mr. Fitzgerald; is that right?

22 A. Yes.

23 Q. And Mr. Fitzgerald had made complaints
24 against Ms. Jackson; is that right?

Lauren Footman

Page 19

1 A. Yes.

2 Q. What was your role in the meeting with
3 Mr. Woolley and Mr. Johnson?

4 A. My role in the meeting was helping to
5 understand what was actually happening in the
6 department and then to figure out a path forward,
7 making sure that the -- giving advice around
8 ensuring that, whatever the solution was, everyone
9 had equitable access to the process, the grievance
10 process.

11 Q. At the time of that meeting, had any
12 interviews been conducted?

13 A. I believe with Franklin they had. They had
14 talked to Franklin.

15 Q. Anyone else in the Purchasing
16 Department?

17 A. I'm not sure if they had actually made
18 contact with them at the time.

19 Q. Did you review any documentation
20 regarding complaints made either by Ms. Jackson or
21 Mr. Fitzgerald before that meeting with Mr. Woolley
22 and Mr. Johnson?

23 A. No.

24 Q. As we sit here today, have you had a

Lauren Footman

Page 25

1 Q. Was the meeting in the Executive
2 Director's Office?

3 A. Yes.

4 Q. Did Marc want to know where Franklin
5 had been placed?

6 A. Yes.

7 Q. Did Jamal say he was being transferred
8 to Ms. Locke's supervision?

9 A. Yes.

10 Q. Did Jamal say he was being transferred
11 to Ms. Locke's supervision because there were no
12 other viable positions for Franklin?

13 A. I don't recall.

14 Q. Did Mr. Woolley tell Jamal that
15 Franklin should not be under Ms. Locke's
16 supervision?

17 A. That's not how I remember it.

18 Q. How do you remember it?

19 A. I remember that there was a conversation as
20 to how was that decision made.

21 Because, again, as I shared
22 previously, I believe Franklin was interviewed, but
23 I don't believe an actual interview was had with
24 Lisa.

Lauren Footman

Page 26

1 And so, at that point, because
2 there is the level of -- at the time we all reported
3 to Marc. And so there was a question as it related
4 to Howard and Marc should have had an ability to
5 review before decisions were made. And also that
6 they wanted Lisa to have been interviewed as well,
7 because there were conversations that Marc was
8 having with Lisa that this move, like, essentially
9 created a -- like, the executive office -- being
10 Howard and Marc -- was telling Lisa one thing, and
11 something else was happening, and so it was creating
12 issues because everyone wasn't on the same page.

13 So Marc was saying in the
14 meeting, "How was this decision made? Me and Howard
15 should have been part of the conversations. We've
16 been having conversations with Lisa. And was Lisa
17 ever interviewed?"

18 So it was more of a process.
19 It's a process. And it's a balancing act. Because
20 although you are at HR, as directors, we're all
21 peers. And so, at certain times, you have to go to
22 Marc and Howard to get kind of input and then
23 checking in, particularly because they were already
24 speaking to Ms. Jackson as well, and they didn't

Lauren Footman

Page 27

1 want the appearance that -- they were talking to
2 Lisa, promising her things; and then all these moves
3 were being made with Franklin. And she didn't feel
4 like she had an opportunity to participate. Because
5 that was what, I believe, she shared with Marc, is
6 that she hadn't been interviewed.

7 She shared that there was an
8 issue. She hadn't been interviewed. And then she
9 felt she was disrespected. And then Franklin was
10 just being moved and no one in a position of
11 authority, such as Howard and Marc, were involved in
12 or aware of what happened.

13 Q. So one of the things you just said was
14 that Lisa had been promised something by Marc; is
15 that right?

16 A. No, I wouldn't say she was promised
17 something. I think she was told that the grievance
18 process that we have in place would be followed.

19 I think "promise" makes it seem
20 like he gave her something that is not offered to
21 every employee. And that was why I was involved,
22 because of an equity opportunity because of us
23 trying to be, at the time, more cognizant of how
24 directors, particularly directors of color, were

Lauren Footman

Page 28

1 being supported.

2 Q. So you're saying that, during the time
3 that this was happening -- right? -- in other words,
4 the investigation of Franklin's complaint, Marc and
5 Lisa were talking. You just said that in your
6 statement just now, correct?

7 A. Yes. He was her direct supervisor, so they
8 have check-in meetings.

9 Q. What, if anything, do you know about
10 what they were talking about as it pertains to the
11 investigation of Franklin's complaints?

12 A. That they would follow the process.

13 Q. And I think you said Lisa felt she was
14 disrespected, right?

15 A. Mm-hmm.

16 MR. SCHLEIGH: You have to speak
17 your answer.

18 THE WITNESS: Yes.

19 BY MR. COHEN:

20 Q. Was that disrespect -- I don't mean to
21 put words in your mouth.

22 What was the basis of that
23 disrespect?

24 A. The blowup between her and Franklin in the

Lauren Footman

Page 29

1 office, and then she not being talked to and he just
2 being moved, to get her side of the story. So it
3 was twofold. The interaction between her and
4 Franklin, she felt was disrespectful. Then she felt
5 that she was disrespected by the process, with how
6 HR handled the situation.

7 Q. And this is from conversations between
8 Marc and Lisa?

9 A. No. She told me this directly herself.

10 Q. And when did she tell you this?

11 A. I can't recall exactly. But supervisor
12 contact, it's very common for directors,
13 particularly diverse directors, to come to me and
14 share their concerns around policies and procedures
15 and/or how policies we have in place -- and
16 practice -- are coming. And that's just a part of
17 my job description.

18 She told me she didn't feel like
19 she was being respected and treated fairly by the
20 process that was carried out by HR.

21 Q. And was her concern -- I think you've
22 said it. So her concern about the process was that
23 she wasn't given an opportunity to say her side of
24 the story; is that right?

Lauren Footman

Page 30

1 A. Yes.

2 Q. And did you make any inquiries into
3 whether that was accurate?

4 A. I took it to Marc.

5 Q. When was that?

6 A. When she brought it to me. That was the day
7 of that meeting with Jamal.

8 Q. Okay. Do you keep a calendar?

9 A. A calendar of?

10 Q. Like, is there a way to know when that
11 meeting was?

12 A. No, because at the time, we all sat -- I sat
13 upstairs. So no. It was very easy to just go in.
14 No, not necessarily, no.

15 Q. So is you going to Marc about that
16 concern from Ms. Jackson what led to the meeting
17 with Jamal in the Executive Director's Office?

18 A. No. Marc found out somehow that Franklin
19 was switched from another department -- switched to
20 another department.

21 Q. Okay.

22 A. So I did my own thing, what she said to me
23 that I was hearing with Marc, and then it provided
24 context to why she was upset to Marc, because he

Lauren Footman

Page 31

1 heard about Franklin being looped. So it was
2 like -- it was like, you got the other half of it.

3 Because Lisa also told -- so
4 Marc and Franklin repeatedly know how Lisa -- and he
5 was like, "Oh, well, of course, Lisa's upset,
6 because in our one-on-one, we told her these are our
7 next steps."

8 Franklin then being moved, it
9 makes it seem like we are gaslighting her,
10 essentially.

11 Q. By transferring Franklin without her
12 approval?

13 A. Not even without her approval, but she
14 hadn't been interviewed. And so the executive
15 office, Marc and Howard, they had said, "This is
16 what the process will be" to Lisa. The process did
17 not follow that same through line because HR went
18 and just moved Franklin.

19 They solved the situation, and
20 it didn't align with HR -- with what the executive
21 office had told Lisa would be, like, the next step
22 in the process.

23 Q. Got you. So it sounds like the reason
24 for the meeting wasn't Ms. Jackson's concerns, but

Lauren Footman

Page 32

1 it was brought to Marc by you, correct?

2 MR. SCHLEIGH: Objection to
3 form. You can answer.

4 A. So the reason -- the reason for the meeting
5 was he was already asking -- well, there were
6 multiple things happening that day, just so you're
7 aware.

8 There was a director who had
9 ammunition on his desk. It was a crazy day. So
10 there were multiple reasons why Jamal -- it was like
11 a list, a laundry list I think Marc was talking to
12 Jamal about.

13 However, I did share with Marc,
14 "This is what Lisa said to me."

15 And Marc knew about Franklin,
16 and so that was one of the things that Marc then
17 brought up to Jamal.

18 It was a laundry list of things
19 that was happening. Like, they had security
20 concerns because they didn't know why ammunition was
21 on someone who was going to be at his desk. There
22 were a laundry list of things that were happening
23 that day.

24 Q. Got you. And that concern that Lisa

Lauren Footman

Page 33

1 brought to you, had that been from the night before?

2 A. Yes.

3 Q. And had you and Lisa been together
4 outside of work the night before?

5 A. No. She called me. Which, I supervise -- a
6 lot of things I do -- it's a part of the job to sit
7 with people, to talk to them, to help them figure
8 out a path forward. I've done it countless times.
9 She shared that she was having
10 an issue. And I said, "Okay."

11 And it is my job to let Marc
12 know.

13 Q. Was Lisa ever interviewed regarding
14 Franklin's complaints against her?

15 A. I'm not sure at this point. At that point,
16 it appeared no.

17 Q. And in the meeting, was that brought
18 up to Jamal, that Lisa felt she should be
19 interviewed?

20 A. Not in -- the meeting primarily focused on
21 how did Franklin get moved. We should have had a
22 conversation. Lisa had a concern about this. We
23 understand -- I understand her concern, because we
24 told her this would be her next step. And we have

Lauren Footman

Page 34

1 to figure out what is the messing up -- like, how
2 did you get to that decision. We should review it,
3 X, Y, and Z.

4 So then I believe Jamal had a
5 report, the memo that I mentioned earlier. And then
6 a meeting happened between Howard, Bill, Marc, and
7 Jamal.

8 Q. Okay.

9 A. And I believe it was addressed then that
10 Lisa was not interviewed.

11 Because she was going to be put
12 on leave. I think the recommendation was she was
13 going to be put on leave.

14 And when I first started, I had
15 made the observation to Howard that I was noticing a
16 pattern of women of color being put on
17 administrative leave and that not necessarily being
18 a consistent process across the board for
19 progressive discipline.

20 Q. Did you disagree with Ms. Jackson
21 being put on administrative leave?

22 A. I didn't disagree with it because I didn't
23 have a say in it. That was a decision that was
24 going to be made between Bill, Marc, Howard, and

Lauren Footman

Page 35

1 Jamal in their meeting.

2 I will say that that is
3 something that I would hope was part of their
4 analysis, to be thoughtful. Because when I had
5 first started, the way that progressive discipline
6 was handled with another black woman director was
7 not appropriate.

8 Q. And did --

9 A. So the decision was made, in that meeting of
10 the four that I was not a part of, on what the next
11 step would be.

12 My understanding was that they
13 were going to meet, they were going to review the
14 report, and then they would discuss the next steps
15 amongst themselves.

16 Q. Was it your opinion that Ms. Jackson
17 should not be placed on administrative leave?

18 A. I didn't have an opinion because I wasn't --
19 I didn't have an opinion on what should happen.

20 I just said the clear process
21 should be followed, and it should be a consistent
22 process. So if this is something that we are doing
23 in one case, that needs to be standard across the
24 board.

Lauren Footman

Page 36

1 That's always my thing: Are we
2 following the same process?

3 And also, stakeholders, at this
4 time being the executive office and HR, need to be
5 in synch because you have a direct supervisor
6 telling Lisa this, and then you have HR doing this,
7 and so it creates confusion.

8 So that's my thing: Clear
9 process, it's equitable, just, and fair, and the
10 communication is in alignment via the direct
11 supervisor, in this case, which would be Marc and
12 HR.

13 Because miscommunication between
14 the executive office and HR can exacerbate issues,
15 which we then saw here.

16 Q. What, if any, procedural concerns did
17 you have regarding the investigation into
18 Ms. Jackson's actions towards Mr. Fitzgerald?

19 A. I think there's a couple different things.
20 I think that if she was not interviewed, that's a
21 huge issue for me. If she was going to be put on
22 administrative leave and not interviewed, that would
23 be an issue for me. And then the timeliness of it.
24 Because by the time the blowup happened, both sides

Lauren Footman

Page 37

1 had already been reaching out for intervention to
2 HR.

3 Q. So regarding the first issue, do you
4 know whether Jamal ever reached out to -- or anyone
5 ever reached out to Ms. Jackson to be interviewed?

6 A. I'm not aware, but what I will say is this:
7 In that situation, that's when the process is you
8 bubble it up. So if there is, like, the -- some
9 tension is rising, you can then go to Marc or Howard
10 and say like -- or Bill, "We have this issue. Lisa
11 is evading the process, X, Y, and Z. Can you help
12 us?"

13 That's something that we
14 actually had to explain to Jamal and Hector multiple
15 times, even when they were on another case at the
16 prison, is that yes, people may not follow up with
17 you, but you have to have the business acumen to
18 bubble it up to the necessary parties to not let it
19 drag on.

20 MR. COHEN: Can we take a
21 five-minute break?

22 MR. SCHLEIGH: Sure.

23 (Short recess taken at
24 10:20 a.m.)

Lauren Footman

Page 40

1 such as when Lisa and Franklin first reached out to
2 the office for intervention.

3 Q. And right before we went on the break,
4 I think you were saying that, you know, it's up to
5 someone in HR to go up to someone in the executive
6 level to help them -- well, I don't want to
7 mischaracterize.

8 So what were you saying
9 regarding, you know, Jamal or Hector getting help
10 from, you know, the executive level regarding
11 interviewing?

12 A. Yes, absolutely. The expectation would be,
13 for any of us, that, if we have people that we are
14 struggling to nail down or pin down for an interview
15 that it is of import, that we should be bringing
16 this to our supervisor so they can help us navigate
17 so it doesn't exacerbate or prolong projects or, in
18 this case, grievance investigation.

19 Q. So if Lisa Jackson did not respond to
20 Jamal's request for an interview, who had the
21 responsibility to ensure that Lisa Jackson would be
22 interviewed?

23 MR. SCHLEIGH: Objection to
24 form.

Lauren Footman

Page 42

1 it would be one of their responsibilities to bubble
2 it up to Marc or Howard.

3 Q. Okay. So once Lisa is informed that
4 Jamal wants to interview her, she has no
5 responsibility to get back in touch with Jamal to
6 set up an interview?

7 MR. SCHLEIGH: Objection to
8 form. You can answer.

9 A. So we can talk about if people should
10 respond to e-mails, but then we probably don't want
11 to have that conversation on the reverse, of how
12 many e-mails Hector wasn't responsive.

13 So with that being said, I think
14 that there's an expectation, as professionals, for
15 us to do our best effort to certainly respond, but
16 if there's things of a time-sensitive matter that
17 we're not getting help with, it is the
18 responsibility of the project person or the director
19 of the department to then go -- so, like, two things
20 can be true at once, right?

21 So Lisa should make best-faith
22 effort to respond. But it's of import to prevent
23 escalation in a department -- which ultimately did
24 happen -- because of lack of intervention. HR is

Lauren Footman

Page 43

1 responsible to bubble that up to Howard or Marc.

2 Q. Do you know where Franklin eventually
3 was transferred?

4 A. I believe to Fair Acres.

5 Q. And was that on Marc's directive?

6 A. Yes.

7 Q. And was Franklin supported in his
8 position at Fair Acres?

9 A. I can't speak to that.

10 Q. You said there was a memo that you saw
11 regarding Franklin's complaint; is that right?

12 A. No. I said that there was a memo --
13 Franklin's complaint was part of it, but it was
14 really a memo on recommendations for Lisa, was the
15 gist of it.

16 So, yes, it was all a part of
17 it. But ...

18 Q. Was that memo you're referring to a
19 letter direct -- and I will wait for your counsel to
20 return.

21 MR. SCHLEIGH: I'm still in the
22 room. Go ahead.

23 MR. COHEN: Okay. No problem.

24 BY MR. COHEN:

Lauren Footman

Page 48

1 Q. What do you know about that?

2 A. Marc asked the assistant talent manager -- I
3 believe that was her role -- to start sourcing
4 candidates.

5 Q. And was that in relation to Franklin's
6 complaint against her?

7 A. I can't say for sure. I don't believe
8 that -- just from my recollection of the timeline, I
9 don't think there was enough, like -- the interview
10 hadn't taken place yet to be able for them to know
11 that there were -- so part of the issue is -- like,
12 when you bring these things up -- the complaints
13 started earlier in the summer. Some of these
14 interviews didn't take place until late July and
15 into August, and that is part and parcel to what the
16 problem is, because the conversation around what was
17 happening in the department started well before. So
18 a lot of them are referencing that big blowup. They
19 both had been making complaints to folks in HR
20 needing intervention. And that's part of what the
21 issue is, is that, people bring complaints. They
22 don't get addressed timely. You leave people
23 working in a toxic environment.

24 And then, like, the pressure

Lauren Footman

Page 49

1 cooker combusts. And then we're all left, like,
2 "Well, how did this happen?"

3 And it's, like, "Because you
4 didn't respond timely."

5 Q. Okay.

6 A. So even those interviews are weeks after
7 they should have been. And so, like, in theory, if
8 interviews were done when complaints were first
9 brought up on both sides, Lisa, in this blowup,
10 wouldn't even have been a part of interview.

11 Q. Okay. In terms of Ms. Jackson -- in
12 terms of Marc -- so I think my question was, the
13 search to replace Ms. Jackson related to the
14 complaint made against her by Franklin, right?

15 A. Yes.

16 Q. So --

17 A. The interviews hadn't happened then.

18 Q. How do you know that?

19 A. Because of the date.

20 Q. So when was the search to replace
21 Lisa Jackson?

22 A. That was earlier in the summer.

23 Q. And when you are referencing the
24 dates, I will reshare my screen.

Lauren Footman

Page 74

1 THE WITNESS: Okay.

2 (Brief pause.)

3 THE WITNESS: Okay.

4 (Brief pause.)

5 THE WITNESS: Okay.

6 BY MR. COHEN:

7 Q. And that's it.

8 So looking at that, can you tell
9 me what happened about, you know, the meeting that
10 was set up?

11 A. Yes. A couple things. So this was in
12 relation to, I believe, a meeting at the prison that
13 we were going to.

14 And again, that was another case
15 where there were complaints running, I think as
16 early as May-June, around sexual harassment, which
17 continued to escalate, and they were not looked into
18 timely between Jamal and Hector's division of labor.

19 We started to try to meet with
20 certain people at the prison to rectify the
21 situation. Because the warden actually was here at
22 a meeting, said that she was having some problems
23 and giving clarity, asked if I could assist.

24 I shared that with Marc. And

Lauren Footman

Page 75

1 again, I was aware of the complaints because they
2 were sexual harassment in nature so they were sent
3 to me.

4 And so we had a meeting. Marc
5 had to come in from his vacation to meet with me and
6 Laura to discuss those things. That was later. But
7 this is something that predated that. So just to
8 set the table.

9 And so we were going to go and
10 do a site visit, but the meetings kept being pushed
11 off. Because there's even e-mails back in July,
12 where we were meeting weekly and nothing was really
13 being done. So this is probably, again, August.

14 And with that in mind, Hector
15 invited me to go to a meeting. There were a couple
16 different things. Something that's not shown in the
17 e-mail, Hector inappropriately went to my assistant
18 at the time, Pam Pitts, and told her that he's
19 driving me to the prison and she didn't need to
20 arrange for a car.

21 As an HR professional, we know
22 that's completely inappropriate because he didn't
23 get consent from me. And you don't make decisions
24 for me.

Lauren Footman

Page 76

1 And so I then had a
2 conversation, called Jamal on the phone, brought it
3 to Marc's attention.

4 And, you know, part of the
5 challenge there is, is that that's inappropriate, on
6 so many levels, and then you're an HR person, and we
7 want to actually address some stuff around
8 sexual harassment.

9 Nonetheless, part of what we
10 also found out is, is that there was this secret
11 mission, so to speak, as it relates to doing an
12 investigation to Warden Williams. I was not given
13 the heads-up about that.

14 And the plans kept changing.
15 And I talked to Marc and ultimately decided not to
16 participate. And then I was taken out of the
17 situation. That then it was taken to Bill.

18 And so at that point, we were
19 meeting routinely with Marc, Emily Mullen, Hector,
20 and Jamal to talk about the stuff at the prison. It
21 still wasn't making any inroads.

22 And through all of this, this
23 covert mission that they were doing was never
24 brought to our attention. We back-handed found out.

Lauren Footman

Page 77

1 And then Marc got involved.

2 Which again, not going to
3 leadership is, is that, you're, number one, taking
4 my autonomy away. Number two -- well, multiple
5 parts. That you are going to drive me without my
6 permission. Number two, you're putting me in a
7 situation that I wasn't prepared for, even though we
8 were meeting weekly Mondays.

9 Marc didn't know anything about
10 it. Marc was meeting Jamal's supervisor at the
11 time. And so, by the end of it, it was very
12 convoluted, unprofessional on multiple fronts, and
13 so I decided not to attend.

14 And I discussed this with Marc
15 directly, as my supervisor.

16 BY MR. COHEN:

17 Q. Did you tell Marc that Hector's
18 inappropriate acts towards you were gender based?

19 A. I told Marc that I think that is
20 inappropriate for any colleague to do that.

21 Q. And I think a few minutes ago you used
22 the term "sexual harassment," correct?

23 A. Mm-hmm. Yes. We were talking -- there was
24 sexual harassment complaints at the prison.

Lauren Footman

Page 78

1 Q. Right. Okay. So the meeting happens,
2 right? The meeting between Hector and -- I guess it
3 was Laura Williams; is that right?

4 A. I didn't attend the meeting. So you would
5 have to get that information from Hector.

6 Q. Well, in this document it says that
7 they have the meeting, right?

8 A. I don't -- the document can say that, but
9 you would have to ask Hector and Laura if the
10 meeting happened.

11 Q. Okay. Were you involved in the
12 decision to terminate Hector?

13 MR. SCHLEIGH: Objection to
14 form, asked and answered. But you can answer
15 again.

16 A. What do you mean by that?

17 Q. Did you talk to Marc about terminating
18 Hector?

19 A. I talked to Marc about my experiences
20 working with Hector.

21 Q. And what did you tell Marc in relation
22 to that?

23 A. He doesn't follow up. He's not timely. And
24 not transparent.

Lauren Footman

Page 79

1 Q. And was him -- and by "him" I mean
2 Hector. Was Hector assuming that he would give you
3 a ride to this meeting one of the things that you
4 found was a performance issue for Hector?

5 A. I wouldn't say it's a performance issue. I
6 think there's a training opportunity there about
7 autonomy for other colleagues.

8 Q. When would you say that you -- if you
9 know -- gave Marc this feedback about Hector?

10 When I say, "this feedback," I'm
11 referring to what you just stated in terms of, you
12 know, his issues about following up and being
13 timely.

14 A. It at least had to be June and July.
15 Because we were meeting weekly. And Marc saw it for
16 himself. We were meeting weekly with Jamal, Emily.

17 Because the thought was like, is
18 there grievances? There's macro issues happening.
19 How can we get to training? So that was why Emily
20 was there.

21 And Pam had set routine
22 meetings, Pam Pitts. We would have an agenda. And
23 they would come every week -- being Jamal and
24 Hector -- with no updates.

Lauren Footman

Page 81

1 Q. Okay.

2 MR. SCHLEIGH: There's no point
3 in scrolling through it if we can't really
4 see it, anyway.

5 MR. COHEN: That's fair.

6 BY MR. COHEN:

7 Q. So looking at this document, what are
8 these e-mails regarding?

9 A. It's the grievance tracker.

10 Q. Okay. Going to -- the first e-mail is
11 your e-mail to Hector at 3:15 on July 22nd, 2022.
12 Do you see that?

13 A. Yes.

14 Q. What led you to be sending him that
15 e-mail?

16 A. Because we were meeting -- having those
17 weekly meetings, and we would never have anything to
18 talk about. And you could never see anything.

19 Q. And then he responded about 40 minutes
20 later, correct?

21 A. Mm-hmm. Yes.

22 Q. And was his response inadequate?

23 A. Yes.

24 Q. And why is that?

Lauren Footman

Page 82

1 A. Because in the meetings we discussed having
2 an actual tracker, which you had at the bottom,
3 which Jamal actually provided.

4 Jamal knew that it was
5 inappropriate as well. That's why he said, "Don't
6 worry about it. I'll get you something."

7 It was supposed to be a living,
8 dynamic, password-protected tracker that was
9 supposed to help us with talent -- Munsanda was
10 doing one for talent acquisition, and they were
11 supposed to do one for grievances, because the
12 department was getting so many complaints around
13 turnaround time.

14 Q. Got you. So --

15 A. And the reason that it was necessary is,
16 because things were so bad, Marc was then being
17 asked to speak to this stuff in realtime. Council
18 didn't really want to talk to Jamal and Hector as
19 much. And so he needed to be able to go in and say,
20 like, "This is where we are with this. This is
21 where we are with this requisition."

22 Because it was, like, all eyes
23 on HR as it relates to grievances and TA. And
24 Munsanda did create the tracker that was requested.